

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PAUL ENGSTROM, ABRAHAM ELLIOTT,
VINCENT CUOMO, AND JOSEPH
KRIEGER,

Defendants,

Case No.: 2:21-cr-00190-ART-EJY

ORDER

FINDINGS OF FACT, CONCLUSION OF LAW, AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel (ECF No. 235), and good cause appearing therefore, the Court finds that:

1. Defendant Engstrom requires additional time to prepare and file pre-trial motions, as he needs to conduct further research on case law and review additional discovery materials. Mr. Gaffney, counsel for Joseph Krieger, is currently in the middle of a trial and requires more time to review discovery materials and conduct an investigation to determine whether there are any pretrial issues that must be litigated. These tasks require a significant amount of time and effort, and granting a continuance will allow the defense teams to adequately prepare their cases.
2. The parties agree to the continuance.
3. None of the defendants are currently detained pending trial and none of the defendants object to a continuance.
4. Trial in this matter is scheduled for November 6, 2023, and the parties seek to extend the Deadline to File Pretrial Motions until May 22, 2023. The Parties shall have to and including June 5, 2023, to file any and all responsive pleadings. The Parties shall have to and including June 12, 2023, to file any and all replies to the dispositive motions.

5. The additional time requested herein is not sought for purposes of delay, but to allow counsel for defendants sufficient time within which to be able to effectively and complete investigation of the discovery materials being provided. Denial of this request for a continuance could result in a miscarriage of justice and the ends of justice would be best served by granting a continuance of the pre-trial motion deadline.

6. This is the sixth stipulation to continue filed herein.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the pre-trial motion deadline.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

ORDER

IT IS HEREBY ORDERED that the deadlines for filing pretrial motions are hereby due on or before the 22nd day of May 2023. The Parties shall have to and including June 5, 2023, to file any and all responsive pleadings. The Parties shall have to and including June 12, 2023, to file any and all replies to the dispositive motions.

DATED this 10th day of April, 2023.



THE HONORABLE ANNE R. TRAUM
UNITED STATES DISTRICT JUDGE